

EXPRESS MAIL NO. EV822350331US

DATE MAILED: June 26, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Juergen KLEINSCHMIDT, *et al.*

Application Serial No.: 10/560,268

Filed: December 9, 2005

For: **IMPROVED AAV VECTOR FOR
GENE THERAPY**

Group Art Unit: Not Yet Assigned

Confirmation No: 3309

Examiner: Not Yet Assigned

Attorney's Docket No:
03528.0149.PCUS00**Supplemental Response to Notification of Missing Requirements**

MS Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant has previously submitted a Response to a Notification of Missing Requirements on June 14, 2006, for the above noted application. In the response, the conformation number was correctly identified; however the serial number and attorney docket number were incorrectly typed. Enclosed please find the marked up copy of the Response to Notification of Missing Requirements, which correctly identifies the application number and the attorney docket number.

Applicant submits the following documents:

1. Marked up copy of response to Notification of Missing Requirements (2 pgs);
2. Copy of Combined Declaration and Power of Attorney (2 pgs);
3. Copy of Notification of Missing Requirements (2 pgs);

Additionally, Applicant also submits the paper copy and CRF of the Sequence Listing for the above noted application.

4. Paper copy of Sequence Listing (3 pgs);
5. Statement regarding Sequence Listing (1 pg);
6. CRF Sequence Listing (1 diskette); and
7. Return Receipt Postcard

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, including fees under §1.17; or credit any overpayment, to our Deposit Account No. 08-3038 referencing Atty. Dkt. No. 03528.0149.PCUS00.

Respectfully submitted,



Viola T. Kung (Reg. No. 41,131)
Elisabeth Evertsz (Reg. No. 50,304)

June 26, 2006

HOWREY LLP
2941 Fairview Park Drive, Box 7
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Fax: (650) 798-3570
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EXPRESS MAIL NO. EV822350274US

DATE MAILED: June 14, 2006

Marked up
COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Juergen KLEINSCHMIDT, *et al.*
10/560,268

Application Serial No.: ~~10/560,168~~ e

Filed: December 9, 2005

For: **IMPROVED AAV VECTOR FOR
GENE THERAPY**

Group Art Unit: Not Yet Assigned

Confirmation No: 3309

Examiner: Not Yet Assigned

Attorney's Docket No:
03528.0140.9 PCUS00
.0149.

Response to Notification of Missing Requirements

MS Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the **Notification of Missing Requirements** dated March 14, 2006, Applicant(s) submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Combined Declaration and Power of Attorney (2 pgs);
2. Copy of Notification of Missing Requirements (2 pgs); and
3. Return Receipt Postcard

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

06-28-06

PCT

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UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/560,268	Juergen Kleinschmidt	03528.0149.PCUS00

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 Howrey
 2941 Fairview Park Drive
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INTERNATIONAL APPLICATION NO.	
PCT/EP04/06222	
I.A. FILING DATE	PRIORITY DATE
06/09/2004	06/11/2003

CONFIRMATION NO. 3309

371 FORMALITIES LETTER



OC000000018256202

Date Mailed: 03/14/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/09/2005
- Copy of the International Search Report filed on 12/09/2005
- Preliminary Amendments filed on 12/09/2005
- U.S. Basic National Fees filed on 12/09/2005
- Priority Documents filed on 12/09/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

RECEIVED
 DOCKET DEPT.
 HOWREY SIMON ARNOLD & WHITE, LLP

MAR 29 2006

PA
 Docketed

WASHINGTON, D.C.

COPY
ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/560,268	PCT/EP04/06222	03528.0149.PCUS00

FORM PCT/DO/EO/905 (371 Formalities Notice)